

Regional Buy American Waiver Protocol – 2 week turnaround time
FINAL 5/19/09

Introduction

This protocol represents a joint effort of the Office of Water, Office of Grants and Debarment, and EPA Regional 1. The waiver review process must be completed within 2 weeks from receipt of a complete waiver package and, as such the protocol is designed to initiate concurrent and expedited review to meet this stringent deadline. The issuance of waivers within this timeframe is critical in upholding the intent of the ARRA to initiate job-creating projects quickly.

1. Waiver applicants submit necessary documentation to the regionxwaiver@epa.gov mailbox (where x represents the region such as 1, 2, 3, etc.), or by mail to the Regional Office. The designated program contact or alternate will check mailbox daily.
2. SRF staff and ORC review applications for adequate documentation and statutory justification to make a waiver determination. If necessary, additional information is formally requested. The 2-week timeline for issuance of a waiver begins once a **complete** package is received.
 - 2 a. National consultant, Cadmus, shall be notified and provided with a complete waiver package including all supporting documentation in electronic format at **waivers@cadmusgroup.com** in order to provide timely and consistent technical reviews of all waivers.
 - 2 b. Cross-agency Coordination Workgroup shall be notified for consultation regarding other regions' relevant waivers currently under review or approved and for coordination on potential national waivers.
3. SRF staff submits waiver approval package to Regional Administrator for concurrence. The purpose of this step is for SRF staff to have tentative approval from the Regional Administrator before sending the package to OARM for concurrence.
4. SRF staff submits waiver package with a concurrence note from the RA (confirming RA's tentative approval) electronically to OGD/OARM for concurrence to oarmwaivers@epa.gov. OARM routes waiver concurrently through 1) Office of General Counsel; 2) Office of International Affairs (to confirm no international agreements are involved in the request); and 3) Office of Grants and Debarment/OARM for concurrence of approval by the Assistant Administrator. Offices are given **3 business days** to review and approve. OGD/OARM will notify the SRF staff within the 3 business days if review and approval will require additional time.
5. Upon receipt of concurrence via email, SRF staff submits waiver approval package to Regional Administrator for signature and date and notifies state and assistance recipient of waiver determination, sends copy of approval to both. Waiver is effective on the date signed by Regional Administrator.
6. Region publishes notification of waivers in federal register. Informs EPA Headquarters (hqwaiver@epa.gov) to post link to FR notice on EPA's Recovery.gov website.